

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

UNITED STATES OF AMERICA,

§

Plaintiff,

§

v.

CASE NO.: 1:20-CV-96

8.691 ACRES OF LAND, MORE OR LESS,
SITUATE IN CAMERON COUNTY,
STATE OF TEXAS; AND J & I
PARTNERS, LTD, ET AL.,

§

Defendants.

§

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through [the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security], for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1338.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule "B."

5. The legal description and map or plat of land in which certain interests are being

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules "C" and "D."

6. The interest being acquired in the property described in Schedules "C" and "D" is set forth in Schedule "E."

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule "F."

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule "G."

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule "E" of the property described in Schedules "C" and "D" be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

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SCHEDULE A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Cameron County, Texas

Tract: RGV-HRL-7503

Owner: J & I Partners, LTD, et al.

Acres: 8.691

Being a 8.691 acre tract (378,567 sq ft) parcel of land, more or less, being out of a called 153.765 acre tract, calculated as 157.208 acres, in Cameron County, Texas conveyed to J & I Partners LTD, Volume 19026, Page 237 and Volume 20192, Page 171. Said parcel of land more particularly described by metes and bounds as follows;

Starting at a Stainless Steel Rod in a Concrete Structure, Stamped: PHR-031-0010, COE PID#: AHJ405, having the following NAD83 (2011) Grid Coordinates N=16533818.85, E=1275206.55; Thence S 29°09'26" W a distance of 5484.88 feet to a found 2-3/4" iron pipe with a 3" Aluminum Disk, Stamped Tract No. 250, Corner No. 1 on the West line of the J & I Partners LTD tract, Volume 19026, Page 237 and the Northeast corner of the United States of America tract, Volume 1095, Page 7, for the **Point of Commencement**, having the following coordinates: N=16529028.98, E=1272534.28.

Thence: S 02°24'10" W along the East line of the United States of America tract, Volume 1095, Page 7 and the West line of the J & I Partners LTD tract, Volume 19026, Page 237, a distance of 586.96 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7501-8=7503-1, for the **Point of Beginning**, having the following coordinates: N=16528442.54, E=1272509.67.

Thence: S 77°22'44" E departing said property line, following a line at an approximate 60 foot offset North of the existing levee toe, crossing the center of an existing 19 foot wide dirt road at 25 feet, a distance of 48.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-2 for angle;

Thence: N 70°12'28" E along said North line, a distance of 101.36 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-3 for angle;

Thence: N 63°53'48" E along said North line, a distance of 390.16 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-4 for angle;

Thence: N 66°16'22" E along said North line, a distance of 106.94 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-5 for angle;

SCHEDULE C (Cont.)

Thence: N 68°17'11" E along said North line, crossing the East line of the J & I Partners LTD tract, Volume 19026, Page 237 and the West line of the J & I Partners LTD tract, Volume 20192, Page 171 at 52.87 feet, a distance of 123.19 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-6 for angle;

Thence: N 78°34'51" E along said North line, a distance of 187.02 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-7 for angle;

Thence: N 89°16'07" E along said North line, a distance of 155.38 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-8 for angle;

Thence: S 82°39'37" E along said North line, a distance of 196.62 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-9 for angle;

Thence: S 72°54'46" E along said North line, a distance of 41.63 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-10=7505-1 for angle, said point being on the East line of the J & I Partners LTD tract, Volume 20192, Page 171 and on the West line of the Juan Rodriguez tract, Volume 880, Page 291;

Thence: S 07°03'50" W along said property line, departing said North line, entering the I.B.W.C. levee Right-of-Way File No. 5030-R-459-C at 50.83 feet, crossing the center of the levee road at 93 feet, a distance of 279.21 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-11=7505-7 for angle, said point being on the South limit of the 150' enforcement zone and on the East line of the I.B.W.C. levee Right-of- Way File No. 5030-R-459-C;

Thence: N 71°24'16" W departing said property line, departing said I.B.W.C. line, along said enforcement zone, a distance of 71.68 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-12 for angle;

Thence: N 85°19'46" W along said enforcement zone, crossing the center of an existing 12 foot wide dirt road at 104 feet, departing the I.B.W.C. levee Right-of-Way File No. 5030-R- 459-C and entering the I.B.W.C. levee Right-of-Way File No. 5034-R-458-C at 108.70 feet, a distance of 153.38 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-13 for angle;

Thence: S 86°58'11" W along said enforcement zone, a distance of 123.68 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-14 for angle;

Thence: S 77°53'50" W along said enforcement zone, a distance of 148.58 feet to a set

SCHEDULE C (Cont.)

5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-15 for angle;

Thence: S 63°35'24" W along said enforcement zone, crossing the East line of the J & I Partners LTD tract, Volume 19026, Page 237 and the West line of the J & I Partners LTD tract, Volume 20192, Page 171 and departing the I.B.W.C. levee Right-of-Way File No. 5034-R-458-C and entering the I.B.W.C. levee Right-of-Way File No. 5033-R-457-C at 146.87 feet, crossing the center of an existing 15 foot wide dirt road at 173 feet, departing the I.B.W.C. levee Right-of-Way File No. 5033-R-457-C and entering the I.B.W.C. levee Right-of-Way File No. 5033-R-34-C at 492.88 feet, a distance of 495.80 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-16 for angle;

Thence: S 66°06'38" W along said enforcement zone, crossing the center of an existing 21 foot wide dirt road at 86 feet, a distance of 183.38 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-17 for angle;

Thence: N 89°24'42" W along said enforcement zone, a distance of 155.54 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7501-10=7503-18 for angle, said point being on the West line of the J & I Partners LTD tract, Volume 19026, Page 237 and on the East line of the United States of America tract, Volume 1095, Page 7 and on the West line of the I.B.W.C. levee Right-of-Way File No. 5033-R-34-C;

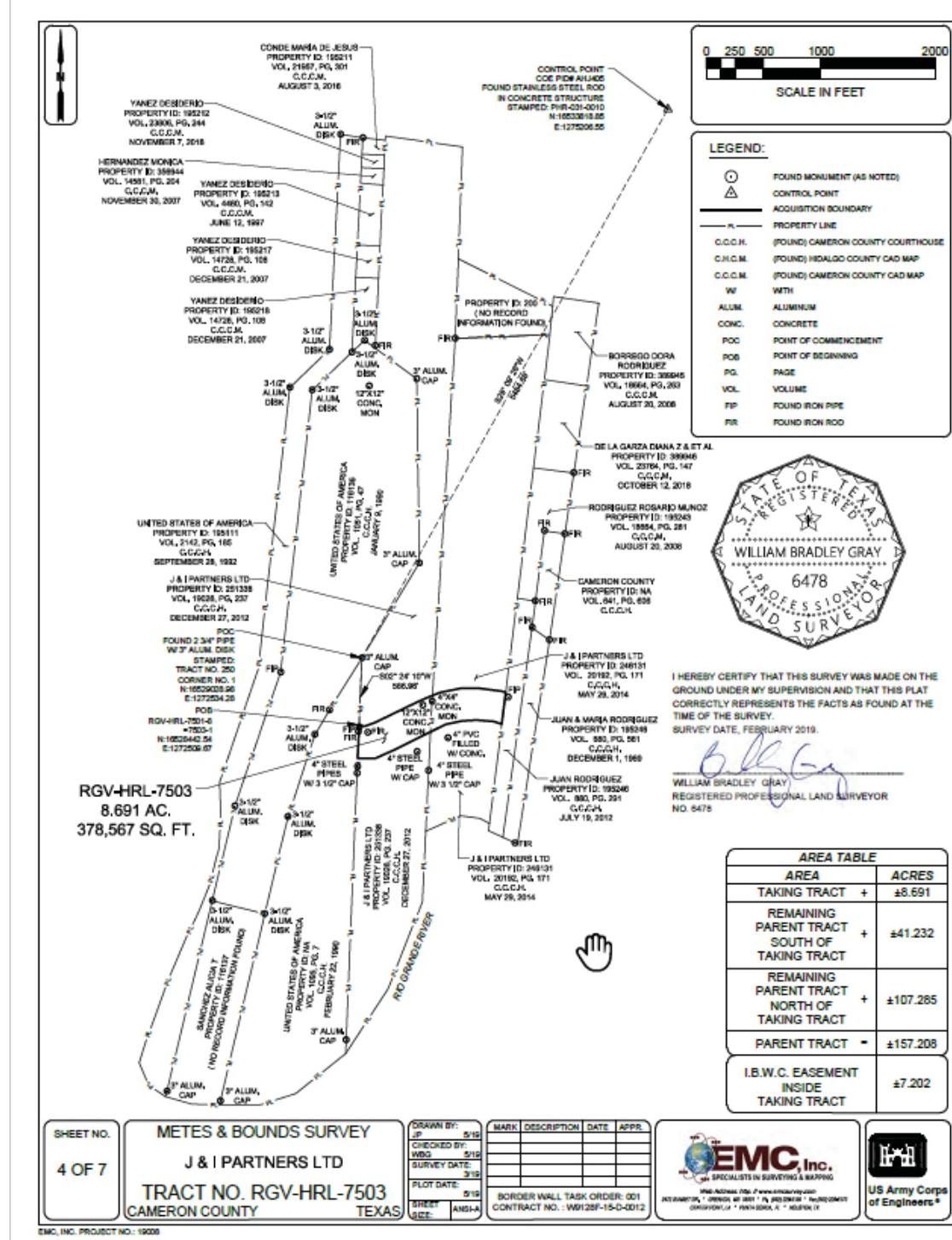
Thence: N 02°23'43" E along said property line, along said I.B.W.C. line, departing said enforcement zone, crossing the center of the levee road at 175 feet, a distance of 271.27 feet to a found 3" iron pipe designated as RGV-HRL-7501-9=7503-19 for angle, said point being the Northwest corner of the I.B.W.C. levee Right-of-Way File No. 5033-R-34-C;

Thence: N 02°24'10" E along said property line, departing said I.B.W.C. line, a distance of 16.02 feet, returning to the **Place of Beginning.**

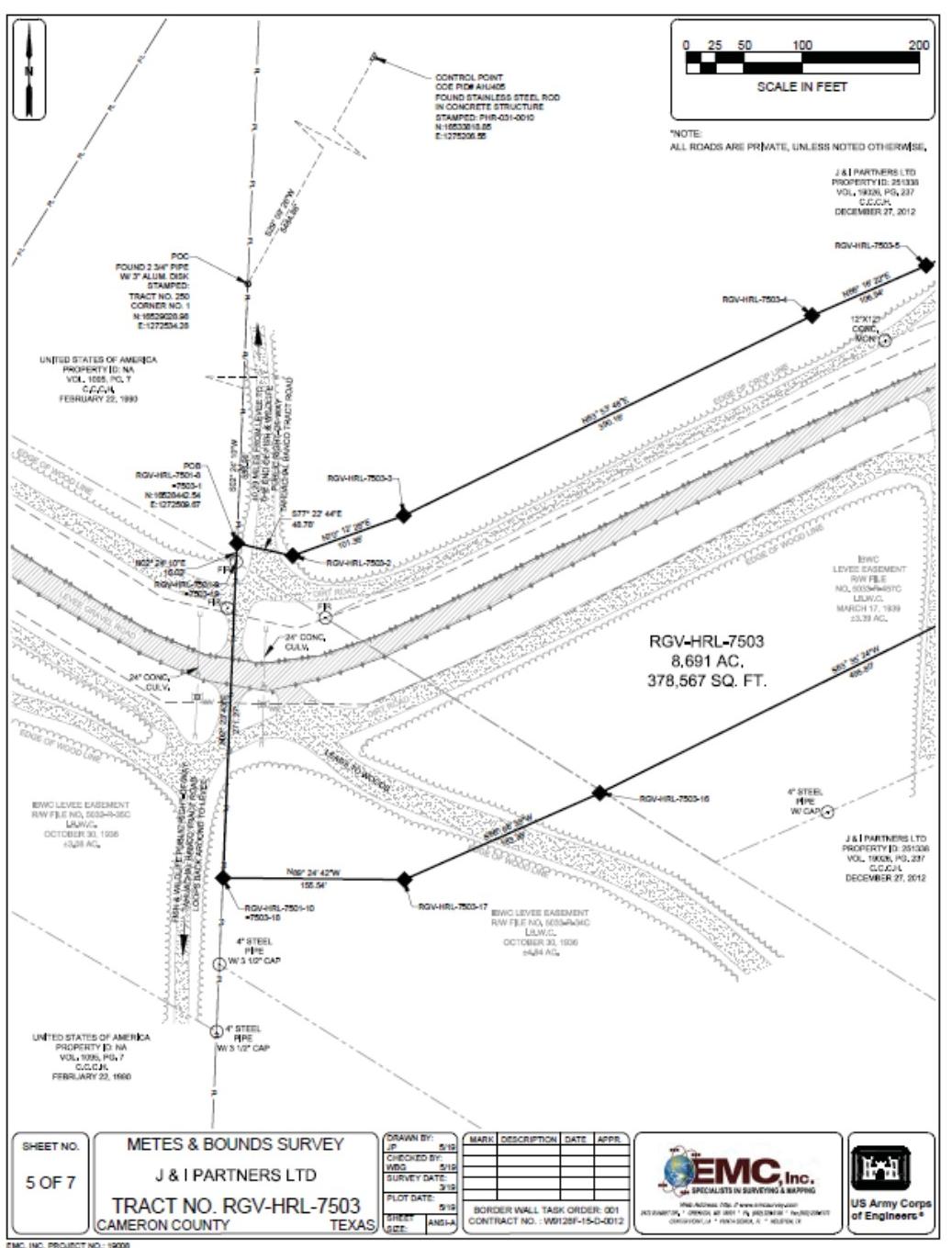
SCHEDULE D

SCHEDULE D

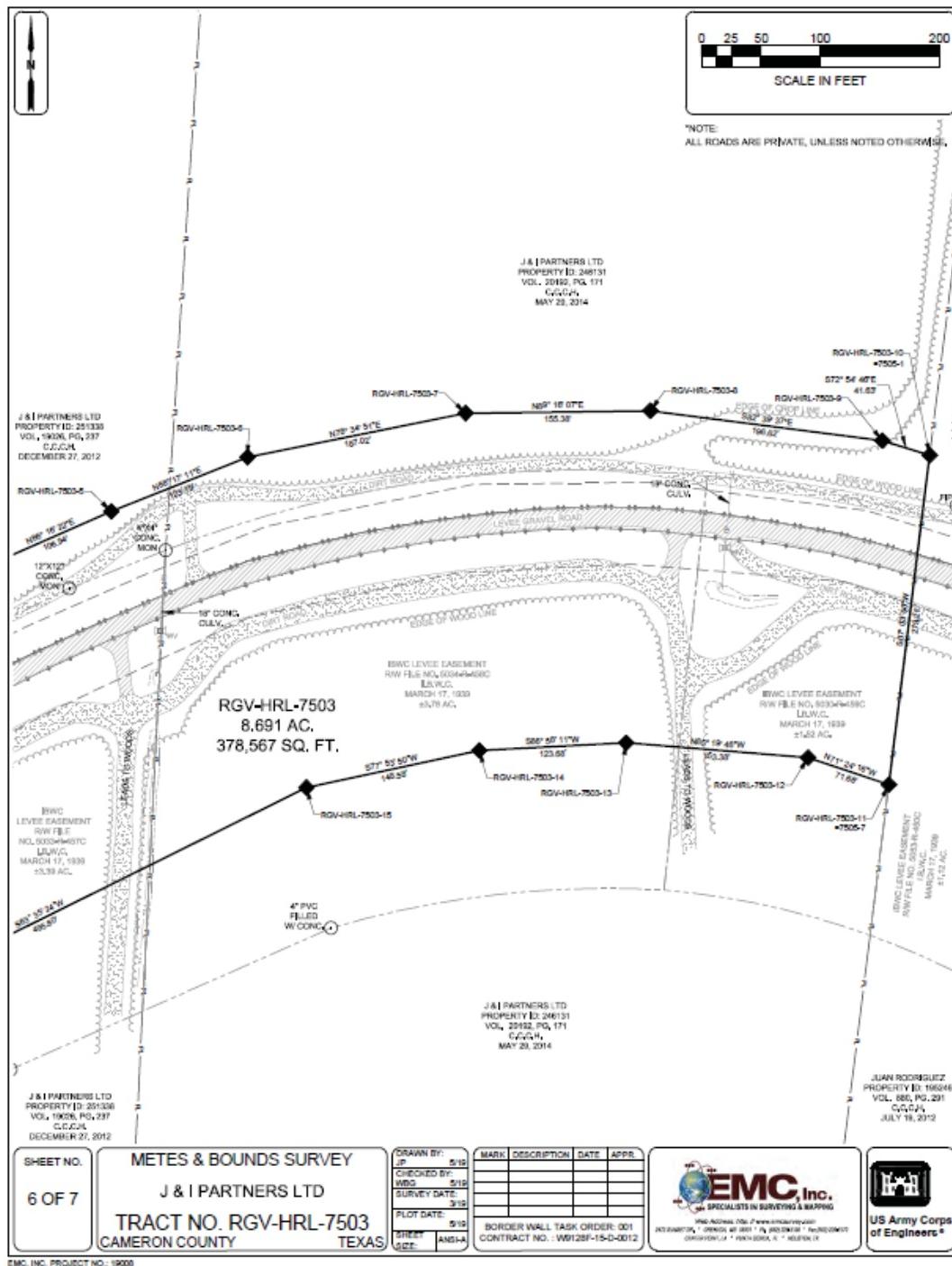
MAP or PLAT



SCHEDULE D (Cont.)



SCHEDULE D (Cont.)



SCHEDULE D (Cont.)

LEGEND:		
FOUND MONUMENT (AS NOTED)	UNDERGROUND COMMUNICATIONS/TELEPHONE LINE	EDGE OF RIPRAP
SET 50' IR WALL/ALUM CAP STAMPED (AS NOTED)	CATCH BASIN	EDGE OF VEGETATNG (TYPE NOTED)
CONTROL POINT	STORM GRATE	MISCELLANEOUS SYMBOL (SEE LABEL)
ACQUISITION BOUNDARY	STORM SEWER VALVE	C.C.C.H. (FOUND) CAMERON COUNTY COURTHOUSE
EASEMENT LINE	STORM MANHOLE	C.C.C.M. (FOUND) HIDALGO COUNTY CAD MAP
PROPERTY LINE	STORM SEWER	C.C.C.M. (FOUND) CAMERON COUNTY CAD MAP
EXISTING WALL	CULVERT	W. WITH
LEVEE CENTERLINE	HEADWALL AND WINGWALL	UNK. UNKNOWN
LEVEE TOP BANK	TOP OF DITCH	ALUM. ALUMINUM
LEVEE TOE	BOTTOM OF DITCH	CONC. CONCRETE
EDGE OF ROAD (TYPE NOTED)	EDGE OF WATER	CULV. CULVERT
SAVE AND EXCEPT AREA	WATER PUMP	POC. POINT OF COMMENCEMENT
EDGE OF SIDEWALK	MONITORING WELL	POB. POINT OF BEGINNING
BUILDING OUTLINE (SEE LABEL)	WATER VALVE	POL. PAGE
FENCE (TYPE NOTED)	WATER METER	VOL. VOLUME
EDGE OF STRUCTURE (SEE LABEL)	HYDRANT	PIP. FOUND IRON PIPE
BRIDGE OUTLINE	WATER EXTINGUISHER/FAUCET/PIPET	FIR. FOUND IRON ROD
OVERHEAD ELECTRICAL LINE	WATER MANHOLE	1STFR. 1 STORY FRAME HOUSE
UNDERGROUND ELECTRICAL LINE	WATER LINE	2STFR. 2 STORY FRAME HOUSE
LIGHT POLE	LIFF STATION	1STBR. 1 STORY BRICK HOUSE
UTILITY POLE	PUMP STATION	2STBR. 2 STORY BRICK HOUSE
GUY END	SEWER CLEAN OUT	1STCB. 1 STORY COMMERCIAL BUILDING
GUY POLE	SEWER MANHOLE	2STCB. 2 STORY COMMERCIAL BUILDING
JUNCTION BOX	SEWER WATER PUMP	1STSB. 1 STORY STORE BUILDING
ELECTRICAL MANHOLE	SANITARY SEWER VAULT	2STSB. 2 STORY STORE BUILDING
ELECTRICAL METER	GASTANK	SHDW. SHED WOOD FRAME
ELECTRICAL PULL BOX	GAS VALVE	SHDR. SHED BRICK
TRANSMISSION TOWER	GAS METER	CLF. CHAIN LINK FENCE
SUBSTATION	GAS LINE MARKER	WF. WOODEN FENCE
ELECTRICAL TRANSFORMER	GAS VAULT	SBF. STONE OR BRICK FENCE
COMMUNICATIONS/PHONE MANHOLE	GAS LINE	BWF. BARBED WIRE FENCE
COMMUNICATION/PHONE JUNCTION BOX/PEDESTAL	DOCKS / DECKS/ PIERS	GAT. GATE
OVERHEAD COMMUNICATIONS/TELEPHONE LINE		CEM. CEMETERY OUTBOUND
		HSTDN. HEAD STONE

GENERAL SURVEYOR'S NOTES:

- THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE14205, US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 1.000040201 (E.G. GRID X 1.000040201 = SURFACE).
- A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
- THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
- EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 888-1143.
- TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON FEBRUARY 25, 2019 (TICKET NO. 1655833105).
- LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON FEBRUARY 25, 2019 (TICKET NO. 590544860).

MONUMENT TABLE		
MONUMENT NAME	NORTHING	EASTING
RGV-HRL-7501-8-7503-1	16528442.54	1272509.67
RGV-HRL-7503-2	16528431.88	1272557.27
RGV-HRL-7503-3	16528456.20	1272652.64
RGV-HRL-7503-4	16528637.86	1273003.01
RGV-HRL-7503-5	16528680.89	1273100.91
RGV-HRL-7503-6	16528726.47	1273215.35
RGV-HRL-7503-7	16528763.50	1273398.67
RGV-HRL-7503-8	16528765.48	1273554.04
RGV-HRL-7503-9	16528740.36	1273749.06
RGV-HRL-7503-10-7505-1	16528728.13	1273788.85
RGV-HRL-7503-11-7505-7	16528451.04	1273754.51
RGV-HRL-7503-12	16528473.90	1273686.57
RGV-HRL-7503-13	16528486.39	1273533.70
RGV-HRL-7503-14	16528479.85	1273410.20
RGV-HRL-7503-15	16528448.70	1273264.92
RGV-HRL-7503-16	16528228.17	1272820.86
RGV-HRL-7503-17	16528153.90	1272653.20
RGV-HRL-7501-10-7503-18	16528155.50	1272497.66
RGV-HRL-7501-9-7503-19	16528426.53	1272509.00

SHEET NO. 7 OF 7	METES & BOUNDS SURVEY J & I PARTNERS LTD		DRAWN BY JP CHECKED BY WBD SURVEY DATE 3/18	MARK	DESCRIPTION	DATE	APPR.
TRACT NO. RGV-HRL-7503 CAMERON COUNTY TEXAS		PLOT DATE 5/19	BORDER WALL TASK ORDER: 001 CONTRACT NO.: W9128F-15-D-0012				
STREET NAME		STREET NAME	EMC, Inc. SPECIALISTS IN SURVEYING & MAPPING HOUSTON • KILLEEN • SAN ANTONIO • TEXAS CITY • PORT ARTHUR • BEAUMONT INTERSTATE 45 • HIGHWAY 59 • HIGHWAY 90 • HIGHWAY 105 HIGHWAY 190 • HIGHWAY 288 • HIGHWAY 290 • HIGHWAY 294 HIGHWAY 295 • HIGHWAY 296 • HIGHWAY 297 • HIGHWAY 298 HIGHWAY 299 • HIGHWAY 300 • HIGHWAY 301 • HIGHWAY 302 HIGHWAY 303 • HIGHWAY 304 • HIGHWAY 305 • HIGHWAY 306 HIGHWAY 307 • HIGHWAY 308 • HIGHWAY 309 • HIGHWAY 310 HIGHWAY 311 • HIGHWAY 312 • HIGHWAY 313 • HIGHWAY 314 HIGHWAY 315 • HIGHWAY 316 • HIGHWAY 317 • HIGHWAY 318 HIGHWAY 319 • HIGHWAY 320 • HIGHWAY 321 • HIGHWAY 322 HIGHWAY 323 • HIGHWAY 324 • HIGHWAY 325 • HIGHWAY 326 HIGHWAY 327 • HIGHWAY 328 • HIGHWAY 329 • HIGHWAY 330 HIGHWAY 331 • HIGHWAY 332 • HIGHWAY 333 • HIGHWAY 334 HIGHWAY 335 • HIGHWAY 336 • HIGHWAY 337 • HIGHWAY 338 HIGHWAY 339 • HIGHWAY 340 • HIGHWAY 341 • HIGHWAY 342 HIGHWAY 343 • HIGHWAY 344 • HIGHWAY 345 • HIGHWAY 346 HIGHWAY 347 • HIGHWAY 348 • HIGHWAY 349 • HIGHWAY 350 HIGHWAY 351 • HIGHWAY 352 • 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SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Cameron County, Texas

Tract: RGV-HRL-7503

Owner: J & I Partners, LTD, et al.

Acres: 8.691

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the real property conveyed by Warranty Deed, recorded in the Deed Records of Cameron County, Texas on December 27, 2012 at Volume No. 19026 Page No. 237 and identified as document No. 2012-00049028; and by Warranty Deed, recorded in the Deed Records of Cameron County, Texas on May 29, 2014 at Volume No. 20192 Page No. 171 and identified as document No. 2014-00018364, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

SCHEDULE E (Cont.)



SCHEDULE F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is EIGHTEEN THOUSAND ONE HUNDRED AND ELEVEN DOLLARS AND NO/100 (\$18,111.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
J & I Partners, LTD [REDACTED] Los Fresnos, Texas [REDACTED]	RGV-HRL-7503 Warranty Deed, Document #49023; Recorded December 27, 2012, Deed Records of Cameron County and Warranty Deed, Document #18364; Recorded May 23, 2014, Deed Records of Cameron County
Julio Gonzalez [REDACTED]. Los Fresnos, Texas [REDACTED]	General Partner of J & I Partners, LTD
Isaura Gonzalez [REDACTED] Los Fresnos, Texas [REDACTED]	General Partner of J & I Partners, LTD
Tony Yzaguirre Jr. [REDACTED] Brownsville, Texas [REDACTED]	Cameron County Tax Assessor

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (*SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.*)

I. (a) PLAINTIFFS		DEFENDANTS									
<p>(b) County of Residence of First Listed Plaintiff _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p>		<p>County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p>									
<p>(c) Attorneys (<i>Firm Name, Address, and Telephone Number</i>)</p>		<p>Attorneys (<i>If Known</i>)</p>									
II. BASIS OF JURISDICTION (<i>Place an "X" in One Box Only</i>)		III. CITIZENSHIP OF PRINCIPAL PARTIES (<i>Place an "X" in One Box for Plaintiff and One Box for Defendant</i>)									
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>		PTF DEF Citizen of This State <input type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input type="checkbox"/> 4									
<input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>		Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5									
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6									
IV. NATURE OF SUIT (<i>Place an "X" in One Box Only</i>)											
Click here for: Nature of Suit Code Descriptions .											
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise		TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice		FORFEITURE/PENALTY PERSONAL PROPERTY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability		BANKRUPTCY PROPERTY RIGHTS <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other		<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157		<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act	
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property		CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education		PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act		SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWV (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))		FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
						IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions					
V. ORIGIN (<i>Place an "X" in One Box Only</i>)				<input type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation - Transfer <input type="checkbox"/> 8 Multidistrict Litigation - Direct File							
VI. CAUSE OF ACTION		Cite the U.S. Civil Statute under which you are filing (<i>Do not cite jurisdictional statutes unless diversity</i>): Brief description of cause:									
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.		DEMAND \$		CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input type="checkbox"/> No					
VIII. RELATED CASE(S) IF ANY		<i>(See instructions):</i> JUDGE _____		DOCKET NUMBER _____							
DATE		SIGNATURE OF ATTORNEY OF RECORD									
FOR OFFICE USE ONLY											
RECEIPT #		AMOUNT		APPLYING IFP		JUDGE		MAG. JUDGE			